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Separate paging is given to this Part in order that it may be filed as a separate compilation

19.6.87

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 26th December, 1986/Pausa 5 1908 (Saka)

The following Act of Parliament received the assent of the President on the 24th December, 1986. and is hereby published for general information:—

THE STANDARDS OF WEIGHTS AND MEASURES (ENFORCEMENT) AMENDMENT ACT, 1986

No. 72 OF 1986.

[*24th December*, 1986.]

An Act to amend the Standards of Weights and Measures (Enforcement) Act, 1985.

BE IT enacted by Parliament in the Thirty seventh Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Standards of Weights and Measures (Enforcement) Amendment Act, 1986

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 36.

54 of 1985.

2. In section 36 of the Standards of Weights and Measures (Enforcement) Act, 1985 (hereinafter referred to as the principal Act), for the words "shall be punished with imprisonment for a term which may extend to one year, and, for the second or subsequent offence, with im-

prisonment for a term which may extend to three years and also with fine", the following shall be substituted, namely:—

"shall be punished with imprisonment for a term which shall not be less than three months but which may extend to one year, and, for the second or subsequent offence, with imprisonment for a term which shall not be less than six months, but which may extend to three years, and also with fine".

Amendment of section 37.

3. In section 37 of the principal Act, for the words "shall be punished with imprisonment for a term which may extend to two years, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years and also with fine"; wherever they occur, the following shall be substituted, namely:—

"shall be punished with imprisonment for a term which shall not be less than six months but which may extend to two years, and, for the second or subsequent offence, with imprisonment for a term which shall not be less than one year but which may extend to five years and also with fine".

Amendment of section 38.

4. In section 38 of the principal Act, for the words "shall be punished with fine which may extend to two thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine", at both the places where they occur, the following shall be substituted, namely:—

"shall be punished with fine which shall not be less than five hundred rupees but which may extend to two thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which shall not be less than three months but which may extend to one year and also with fine".

Amendment of section 63.

5. In section 63 of the principal Act, for clause (*a*), the following clause shall be substituted, namely:—

'(*a*) no court shall take cognizance of an offence punishable under this Act except upon a complaint, in writing, made by—

(*i*) the Controller;

(*ii*) any other officer authorised in this behalf by the Controller by general or special order;

(*iii*) any person aggrieved; or

(*iv*) a recognised consumer association whether the person aggrieved is a member of such association or not.

Explanation.—For the purposes of this clause "recognised consumer association" means a voluntary consumer association registered under the Companies Act, 1956 or any other law for the time being in force;'. 1 of 1956.

C. RAMAN MENON,
Additional Secy. to the Govt. of India.

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